

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 ACDA-07 OMB-01 CIAE-00 PM-04

INR-07 L-03 NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06

TRSE-00 SAJ-01 DODE-00 H-02 NSC-05 /081 W

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P R 161440Z JUL 76

FM USMISSION USBERLIN

TO AMEMBASSY BONN PRIORITY

INFO SECSTATE WASHDC 2807

AMEMBASSY BERLIN UNN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION GENEVA

USMISSION NATO

USMISSION USUN NEW YORK

C O N F I D E N T I A L USBERLIN 1480

E.O.11652: GDS

TAGS: PGOV, PFOR, PARM, CCD, WB, GW

SUBJECT: REPRESENTATION OF BERLIN IN CCD

REFS: A) BONN 11947; B) USUN 2910

1. WE CONCUR WITH EMBASSY AND USUN VIEW THAT DECISION ON CHANGE IN DEPOSITORY PRECEDURE USED IN CONNECTION WITH DEMILITARIZATION CONVENTIONS CAN BE REACHED WITHOUT REGARD TO SPECIAL BERLIN PROBLEM.

2. WE SUPPOSE ANSWERS COULD BE GIVEN TO BOISSIEU'S TWO QUESTIONS ABOUT CCV. RESPONSE TO HOW FRG INTENDS TO TREAT CCD RESULTS IN CONNECTION WITH BERLIN WOULD DEPEND TO CONSIDERABLE EXTENT UPON WHAT RESULTS CCD PRODUCED OR ATTEMPTED TO PRODUCE AT ANY GIVEN TIME. WERE WE TO VENTURE ANSWER TO SECOND QUESTION, TO WHAT EXTENT DOES FRG REPRESENT BERLIN IN CCD, BEST WE COULD DO IS PROBABLY EMBASSY FORMULA:  
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"FRG REPRESENTS BERLIN IN CCD TO THE EXTENT THAT CCD

RESULTS MAY BE APPLIED IN BERLIN VIA THE FRG." THIS DOES NOT PROVIDE VERY PRACTICAL GUIDE, HOWEVER, SINCE APPLICABILITY OF CONVENTION IS ESSENTIALLY DETERMINED AFTER THE FACT, THAT IS AFTER FRG HAS DECIDED WHETHER TO MAKE A BERLIN STATEMENT IN CONNECTION WITH SIGNING OR RATIFYING CONVENTION, HAS REQUESTED SENAT TO SUBMIT CONVENTION TO ALLIED KOMMANDATURA, AND AFTER AK REVIEW HAS DETERMINED WHETHER OR TO WHAT EXTENT EXTENSION OF CONVENTION WOULD BE APPROPRIATE.

3. BOTH OF BOISSEIEU'S QUESTIONS STRIKE US, THEREFORE, AS HYPOTHETICAL AND IMPRACTICAL. THEY MAY STEM FROM SIMPLE DEVOTION TO CLARITY OF CARTESIAN THINKING OR, ALTERNATIVELY, THEY MAY REFLECT FRENCH CONCERN AT ALLEGED FRG DESIRE TO UNDERTAKE DEMONSTRATIVE MOVES ON BERLIN AND CONCOMITANT FRENCH WISH TO PIN GERMANS DOWN. WE AHAVE SOME SYMPATHY FOR FRENCH POINT OF VIEW ON CERTAIN DISARMAMENT QUESTIONS, FOR EXAMPLE PROPOSED EXTENSION OF BIOLOGICAL WEAPONS CONVENTION. WE THINK, HOWEVER, THAT AD HOC REVIEW AS SPECIFIC CASES ARISE IS PREFERABLE TO ALL-ENCOMPASSING THEORETICAL APPROACH AT WHICH BOISSIEU QUESTIONS APPARENTLY POINT. CASE BY CASE REVIEW WOULD BE CONSISTENT WITH LINE TAKEN BY U.S. IN EXPLAINING TO FRG OUR POSITION ON BIOLOGICAL WEAPONS CONVENTION, AND IT WOULD HELP ASSUAGE FRG FEARS THAT ALLIES WISHED TO ROLL BACK FRG RERESENTATIONAL RIGHTS IN A GENERAL WAY.

4. FOLLOWING THROUGH ON BOISSEIEU'S QUESTIONS, ON OTHER HAND, COULD LEAD US INTO SCHOLASTIC INTERNAL DEBATE WITH FRG. MOREOVER, ANY EVENTUAL BONN GROUP AGREEMENT ON FORMULA COULD TEMPT GERMANS INTO WHAT WOULD BE ONE OF LAST THINGS ALLIES SHOULD DESIRE, DEBATE IN CCD OR OTHER FORUM SUCH AS SECURITY COUNCIL WITH SOVIETS ON EXTENT TO WHICH FRG REP SPEAKS OR ACTS FOR BERLIN. WE WOULD PREFER, THEREFORE, TO DISCOURAGE AK LEGAL COMMITTEE REVIEW OF THEORETICAL POINTS EVOKED BY BOISSIEU AND TO CONCENTRATE ON INDIVIDUAL AGREEMENTS AS THEY COME UP. WE HAVE, HOWEVER, NOT YET RECEIVED ANY INFORMATION THAT COULD PERMIT US TO FORMULATE RECOMMENDATION ON ENMOD CONVENTION. GEORGE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DISARMAMENT, AGREEMENTS, DMZ, GOVERNMENT REACTIONS, TREATY ENFORCEMENT  
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**Copy:** SINGLE  
**Draft Date:** 16 JUL 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** KelleyW0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
**Executive Order:** GS  
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**Original Handling Restrictions:** n/a  
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**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 BONN 11947  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** KelleyW0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22 APR 2004 by CunninFX>; APPROVED <17 AUG 2004 by KelleyW0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** REPRESENTATION OF BERLIN IN CCD  
**TAGS:** PGOV, PFOR, PARM, WB, GE, CCD  
**To:** BONN  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006